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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/710,678	07/28/2004	Harold Sun	81081067	4677
46535	7590	01/18/2006		
BIR LAW, PLC/FGTL 45094 MIDDLEBURY COURT CANTON, MI 48188-3215			EXAMINER TRIEU, THAI BA	
			ART UNIT	PAPER NUMBER
			3748	
DATE MAILED: 01/18/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Pat

Office Action Summary	Application No.	Applicant(s)	
	10/710,678	SUN ET AL.	
	Examiner	Art Unit	
	Thai-Ba Trieu	3748	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,6-23 and 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7,8,12-23 and 25 is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 6 and 9-11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office Action is in response to the Amendment filed on November 28, 2005. Applicant's cooperation in correcting the informalities in the drawing/specification is appreciated. Claims 1, 3, 6-7, 9-10, 12-13, 19, and 23 were amended.

Upon the reconsideration, the indicated allowable subject matter of claims 4-5 and 23 has been withdrawn. A new Non-Final Rejection set forth below.

Claim Suggestions

Claim 23 is suggested to be corrected the minor informalities:

- Lines 5-7 should be revised by the following:
 - instruction for operating the turbochargers in a series configuration for a first operating region by actuating a plurality of valves to couple an outlet of a [[first]] **second** compressor to an inlet of a [[second]] **first** compressor and to couple an outlet of a [[second]] **first** turbine to an inlet of a [[first]] **second** turbine ; and – *(for co-operating with the specification and drawings).*

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Inaba (Patent Number JP 08-028287 A).

Inaba discloses a method for controlling a turbocharged internal combustion engine having at least two turbochargers (C, D, E) with at least a first compressor (25, 27) and a first turbine (26, 28), and a second compressor (29) and a second turbine (30) (See Figure 3), respectively the method comprising:

operating the turbochargers (D, E) in a series configuration for a first operating region by selectively connecting an outlet of the first turbine (28) to an inlet of the second turbine (30) (See Figure 3, as the valve 8 is closed); and

operating the turbochargers (C, D,) in a parallel configuration for a second operating region (See Figure 3, as the valve 8 is open);

wherein the first and second operating regions correspond to demanded airflow (See Paragraphs [0005] – [0006]);

wherein the step of operating the turbochargers in a series configuration comprises selectively connecting an outlet of the second compressor (from 29 to 25, 27) to an inlet of the first compressor (25, 27) (See Figure 3, and Paragraphs [0005] – [0006] of the attached machine translation copy).

Allowable Subject Matter

Claims 7-8 and 12-23 and 25 are allowed.

Claims 6 and 9-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Ogawa (Pub. Number JP 2000-356136 A) discloses a two stage supercharging equipment of engine, using valves to switch from use of high pressure supercharger and low pressure supercharger of larger capacity when system speed exceeds limit from set range.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai-Ba Trieu whose telephone number is (571) 272-4867. The examiner can normally be reached on Monday - Thursday (6:30-5:00).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas E. Denion can be reached on (571) 272-4859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTB
January 04, 2006



Thai-Ba Trieu
Primary Examiner
Art Unit 3748